

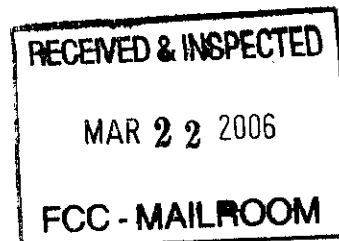


SPECTRUM COMMUNICATIONS
CABLING SERVICES, INC.

Sent via Facsimile, Electronically (ECFS), and U.S. Postal Service

March 17, 2006

Federal Communications Commission
Office of the Secretary
445 12th Street, S.W.
Washington, D.C. 20554



RE: **STATUS REQUEST** for filed appeal to the FCC dated November 22, 2004 for Corona-Norco Unified School District

Request for Review: CC Docket No. 02-6

Appeal of the Universal Service Administrative Company (USAC) Decision

Applicant: Corona-Norco Unified School District

Entity #: 143597

FRN #'s: 983367, 983388, 983410

To Whom It May Concern:

I write this letter to request a status of our appeal filed with the FCC dated November 22, 2004, regarding the Universal Service Administrative Company ('USAC') decision for the applicant Corona-Norco Unified School District ('CNUSD').

On November 22, 2004, Spectrum Communications properly filed to the FCC, an appeal of the USAC denial of funding for CNUSD E-Rate funding year 2003-2004. (Attachments)

As of today, February 28, 2006, 15 months later, neither Spectrum Communications nor CNUSD has received any notification from the FCC regarding the appeal.

Our appeal is simple; the USAC has somehow come to the conclusion that my company, Spectrum Communications, was improperly involved in the competitive bidding process. However, USAC has not provided any information or evidence of how Spectrum Communications was involved in any process of CNUSD's application for E-Rate funding.

This general statement of Spectrum Communications improper involvement has lead to many of our clients E-Rate applications denials. This is unfair to both Spectrum Communications and our school districts applicants.

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As I have stated in several appeals to both USAC and the FCC, my company has not been involved with the filing of any forms, the selection and/or evaluation process for E-Rate applications undertaken by CNUSD or any other applicant.

I ask for the FCC to immediately review our appeal of November 22, 2004. It is our hope that the FCC will review our appeal and as a result grant our appeal, and remand the application back to USAC for further review and funding.

Can you please provide a status as to this appeal? The application for E-Rate funding made by CNUSD is over 3 years old.

If you have any questions or require further information, please contact me either by mail or by telephone at (951) 371-0549.

Thank you,


Robert Rivera
President/CEO
Spectrum Communications

RR:ah

Attachments

Attachments



SPECTRUM COMMUNICATIONS
CABLING SERVICES, INC.

Sent via Facsimile, Electronically (ECFS) and U.S Mail

November 22, 2004

Federal Communications Commission
Office of the Secretary
445 – 12th Street, SW
Washington, DC 20554

RE: **REQUEST FOR REVIEW; CC DOCKET NO. 02-6**
Appeal of the Universal Service Administrative Company (USAC) Decision
Applicant: Corona-Norco Unified School District
Entity #: 143597
Form 470: 703150000435486 (Attachment 1)
Form 471: 362456 (Attachment 2)
FRN's #: 983367, 983388, 983410

To Whom It May Concern:

This letter shall serve as an appeal and request for review to the Schools and Libraries Division's Decision on Appeal – Funding Year 2003-2004, dated November 9, 2004 (Attachment 3) in reference to Corona-Norco Unified School District's ('Corona-Norco') Form 471 application for E-Rate funding program year 6 (FY 2003-2004)

This decision made by the Administrator ('SLD') is a result of an appeal made to the SLD by Spectrum Communications dated August 2, 2004 (Attachment 4), in response to the SLD's Funding Commitment Decision Letter ('FCDL') dated July 27, 2004, which denied funding because of "*similarities in Forms 470*" wherein the SLD had erroneously and inexplicably stated that Spectrum Communications was "*improperly involved in the competitive bidding process*". (Attachment 5)

Both Spectrum Communications and Corona-Norco respectfully ask for reconsideration of the denial and the immediate funding of Corona-Norco's E-Rate Program Year 6 Internal Connections application for funding year 2003-2004.

Referring to the Administrator's Decision on Appeal (Attachment 3), bullet 2 states:

"Upon thorough review of your appeal letter and all relevant supporting documentation, it is determined that Corona-Norco Unified School District's Form 470 (specifically pages 2 and 3) displays striking similarities with the Form 470 of other applicants who selected Spectrum Communications as the service provider"

This paragraph indicates that the 'striking similarities' are contained on pages 2 and 3 of the Form 470. However, a review of Corona-Norco's filed Form 470 shows page 2 as the containing Block 2, questions 7-8 which relate only to 'Telecommunications Services', and page 3 containing Block 2, question 9 which relates only to 'Internet Access'.

Since Spectrum Communications does not provide either Telecommunications Services nor Internet Access, we assume that the 'striking similarities' that USAC alleges are contained in Corona-Norco's Form 470 are in reference to the 'Internal Connections' portion, this is found on pages 4 and 5, Block 2, questions 10-13.

In fact, a review of the Form 470 (OMB 3060-0806, FCC Form 470, May 2003) on the SLD website shows 'Internal Connections' on pages 5 and 6.

We have compared Corona-Norco's Form 470 application to that of all of those applicants who have designated Spectrum Communications on their Form 471's as their selected service provider, as well as the filed Form 470's of many applicants who did not select Spectrum Communications as their service provider (refer to Appendixes A and B).

A comparative analysis does; in fact, show similarities in the Form 470's specifically found in Block 2, sub-section 12 (refer to Appendix B). The FCC intended this area to be used by the applicant to indicate any restrictions or regulations imposed by the applicant upon the vendor. For example, the applicant may require that the service provider be properly licensed, or have a specific amount of proven experience working with school districts, etc.

Additionally, page 11, paragraph titled 'Item 12' of the FCC Form 470 Instructions dated May 2003 located on the SLD website state in part:

"If you are subject to any state or local restrictions, you must check the box in Item 12 and provide a description of the restriction or procedures."

Because almost every customer of Spectrum Communications is located in California, all would be under the State of California procurement law requirements. Therefore, **all Form 470's filed by school districts within California** must contain the same requirements regarding applicable State laws.

For example Corona-Norco's filed Form 470, block 2, question 12, requires among *several restrictions imposed, that the selected service provider must "provide evidence of a Valid California low voltage contractors license"*. In California any contractor who even submits a quote to perform such work must be licensed by the State.

Corona-Norco's Form 470 application like that of many filed Form 470 applications which we reviewed contained simple language similar in description. There are several reasons for these similarities;

Firstly, the California Department of Education ('CDE'), like that of many other states, has a division dedicated to providing education and resources to school districts who desire to participate in the E-Rate program. Additionally, the CDE delegates authority to the County Offices of Education throughout the state to approve the school districts Technology Plan; a requirement set forth by the FCC to participate in the E-Rate program.

In CDE has created the VET (Voluntary E-Rate Training) program. The CDE holds workshops throughout the State. The objectives of the workshops are found in the training handout as follows:

- a. To provide participants with information about preparing to file E-Rate Form 470;
- b. To help participants understand requirements for procurement of products and services;
- c. To demonstrate the online Form 470 and help participants understand the process for completing the Form 470; and
- d. To provide information about preparation in preparing to file the Form 470.

The CDE provides handouts at these workshops, and this information can also be found on-line on the CDE's website. This handout contains 36 pages which show actual screen shots of the SLD's on-line Form 470. It also provides in specific detail the questions asked on the Form 470 and provides examples of how school districts should answer each of the questions.

Specifically in reference to Block 2, sub-section 12, page 22 of the CDE handout states:

"You may want to use this Section to:

- A. Describe local procurement requirements and your purchasing office requirements to help your vendor respond to the request (e.g., CMAS vendors, Web location, etc.)*
- B. Refer to contract code*
- C. Detail any local rules or state Education Code."*

Corona-Norco's filed Form 470 Block 2, sub-section 12, states:

"For Internal Connections: The following five (5) minimum criteria must be met: 1. Must be a CMAS authorized contractor. 2. For wiring, must provide evidence of a valid California low voltage contractors license (C7) 3. All staff working at District must be compliant with Megans Law (DOJ) background check, fingerprinting, etc. 4. Must be bondable and insurable in California 5. Evidence of payment of Prevailing Wages must be provided with all payment requests. Scope of Work for Internal Connection Projects will be sent to all respondents who meet minimum guidelines on December 16, 2002 via E-Mail or Fax Transmission"

All of the five (5) minimum criteria set forth by Corona-Norco in their filed Form 470 **are required by California law**. All school districts who request proposals for Internal Connections work, as well as all service providers who respond to such a request, are subject to the exact requirements as listed in Corona-Norco's Form 470. (Appendix C)

Clearly, the requirements imposed, and the language used here, are in direct response to the information provided as an example contained within the CDE handout. Contrary to the allegation of the SLD, this language and its similarity to that used in other Form 470s by other applicants are not the result of any involvement, improper or otherwise, by Spectrum Communications in the competitive bidding process. Corona-Norco is within its authority to make such a request of bidders. Additionally, Corona-Norco, as well as that of other school districts who used exact or similar language, has attempted to protect the E-Rate funds it receives against waste, fraud, and abuse.

Secondly, many school districts share information with each other. Often time's school districts will review the Form 470s filed by other school districts posted to the SLD's website. They may do this because they wish to save time, or review and copy certain information of other school districts which have been successful in receiving E-Rate funding in prior years.

There are no rules which prohibit school districts from sharing information with each other. They may actually copy each other's E-Rate filings to the extent portions of these filings are also applicable to their individual circumstances. Certainly, the CDE and the SLD have promoted cross-training and sharing of information. Without such dialog many school districts would not, or could not, participate in the E-Rate program because of a lack of resources required to develop a successful filing.

Conversely, the applicant may employ a consultant who, in the interest of time may use the same style of writing, the same language, and/or specify the same requirements in multiple Form 470s.

We agree that some of the applicants, who have selected Spectrum Communications as their service provider, have Form 470's which are similar to each other. There are however, other filed Form 470's of applicants who have not selected Spectrum Communications as their service provider which are similar to those Form 470's as well. These similarities should not be construed as involvement by Spectrum Communications in the competitive bidding process of those applications where Spectrum Communications was the selected service provider.

While we maintain our position of neutrality related to Corona-Norco's and other school district Form 470 filings, we believe that the discussion of applicable rules, regulations and/or laws which affect either the school district or the service provider must be allowed. As this type of information is not harmful, does not restrict the competitive bidding process, and helps to ensure that the applicant(s) and service provider(s) complies with FCC, SLD, State, and local requirements. This opinion seems to be shared by SLD because the SLD provides constant service provider training with the intent of disseminating information to the applicant regarding compliance. Also, the service provider has a substantial interest in ensuring compliance with all rules and laws, because if the applicant should fail to comply with any rule or law the SLD and/or the FCC may seek Commitment Adjustments ('COMAD') from the service provider.


Additionally, many of those Form 470's in which the applicant has selected Spectrum Communications on their Form 471's are located within Riverside County and are part of the same County Office of Education; Riverside County Office of Education ('RCOE'). This is significant because RCOE hosts quarterly meetings for the Information Technology coordinators of each School District within its jurisdiction, and in these meetings provides information related to the E-Rate program, and allows the exchange of information by those persons responsible for the filing of all of the E-Rate Forms.

As we have stated in several appeals which at the time of this writing are still pending either SLD or FCC review, I can attest to the fact that neither I nor any representative from Spectrum Communications had any involvement with the selection and or evaluation process for E-Rate applications undertaken by Corona-Norco or any other applicant. Further, we have not asked nor coerced any applicant to detail specific requirements contained in its Form 470 filing.

Spectrum Communications understands and supports the need for the FCC and the SLD to ensure that service providers are not improperly involved in the competitive bidding process. It is abundantly clear that the similarities among the Form 470s filed by those applicants who selected Spectrum Communications as their service provider are not the result of any improper involvement in the competitive bidding process by Spectrum Communications. Instead the applicants were simply following guidelines provided to them by the CDE, the SLD, and other school districts.

This mistake by the SLD has led to the denial of needed E-Rate funds to Corona-Norco, is unfair and has had a dramatic adverse impact on the students of Corona-Norco who suffer for no reason. I therefore humbly request the FCC to immediately grant this appeal *and order the SLD to issue a revised Funding Commitment Decision Letter ('FCDL')* to Corona-Norco Unified School District.

The balance of this appeal as well as its attachments, provide further details to substantiate our position. It provides extensive detail regarding the Form 470 process and its subsequent requirements.

 Respectfully Submitted,

Robert Rivera
President
Spectrum Communications

APPENDIX A

The following is intended to provide a detailed breakdown of the Form 470.

Specifically, the Administrator's Decision states its reason for denial; (page 2, Attachment 3)

'Upon through review of your appeal, it is determined that Rosemead School District's Form 470 displays striking similarities with the Form 470 of other applicants who selected Spectrum Communications as the service provider. Such similarities indicate that the vendor was improperly involved in the competitive bidding process, which is a competitive bidding violation. On appeal, you fail to show that the SLD erred in its initial determination. Consequently, your appeal is denied.'

Both Spectrum Communications and Corona-Norco are unclear as to how or why the SLD believes that Spectrum Communications was improperly involved with the competitive bidding process. We have asked the SLD to specifically identify which similarities are the basis for its conclusion that improper involvement occurred. We have also asked the SLD to explain how those specific similarities inescapably lead to the conclusion that improper involvement in the competitive bidding process occurred. To date, the SLD refused to answer either of these questions or to provide any other information that would add clarity to this matter.

Corona-Norco properly posted to the SLD website its Form 470 on 703150000435486 . The Form 470 is required to be used by all applicants who desire to participate in the E-Rate program.

The Form 470 contains 5 'Blocks', with each Block containing sub-sections of questions related to the Block description as follows:

Block 1: applicant Address and Identifications

- In this block the applicant states their contact information (i.e. name, address, phone number, type of applicant, email address)

Block 2: Summary Description of Needs or Services Required

- In this block the applicant chooses the type of service(s) it desires, Telecommunications Services, Internet Access, and/or Internal Connections. This block also allows the applicant to specify desired quantities of the products or services it requires, if there is an RFP, and if there are any restrictions or regulations imposed upon the service providers.

Block 3: Technology Assessment

- This block is to ensure that the applicant has sufficient resources to utilize the E-Rate funding. For example, Staff development or sufficient quantity of computers, etc.

APPENDIX A (page 2)

Block 4: Recipients of Service

- In this block the applicant certifies that the request of E-Rate funding is allocated to eligible entities and that they will receive the services described in the Form 470 application.

Block 5: Certification and Signature

- In this block the applicant states that it will comply with the rules related to the E-Rate program and that the applicant is authorized to make such a request. This block also contains the required signature of the applicant.

Blocks 1 and 4 are specific to the applicant and no other properly filed Form 470 will or can contain the same information except by the same applicant. An erroneous answer to any of the questions contained in these blocks will result in the Form 470 being denied because it was improperly filed.

Blocks 3 and 5 request information that is typically common among all applicants.

It is Block 2, sub-sections 10, 11, 12 and 13 which are specifically related to Internal Connections funding requests. And the subsequent area of similarities raised by the SLD.

Section 10:

Section 10 is a Yes or No response to the question regarding the existence of an RFP (Request For Proposal). In the case of Spectrum Communications' applicants many of them answer this question differently. Almost half answered this question in the affirmative, indicating that they indeed had an RFP.

In the event that the applicant did not have an RFP and having indicated 'NO' in section 10, the applicant is required to list the Internal Connections Services that they seek and must specify each service and/or function. Every applicant who selected Spectrum Communications answered or 'populated' these categories of services or functions differently due to the varying needs of the sites.

There are no similarities in Section 10.

Section 11:

Section 11 is an optional request and simply indicates a technical contact for the Form 470 request. This may be different than the contact person listed in Block 1 of the Form 470. Unless the applicant was using a consultant or was a member of a consortium, this information would never be the same. And in the case of Spectrum Communications' applicants, none were similar.

There are no similarities in Section 11.

APPENDIX A (page 3)

Section 12:

Section 12 allows the applicant to specify any restrictions or regulations imposed by the applicant on the service provider. Many applicants utilize this area to indicate their requirements of vendors, such as the need to have previous experience, hold a valid contractors license, and ensure that certain local and State laws are complied with.

In almost every application wherein Spectrum Communications was the selected vendor the applicant indicated certain requirements in Section 12. In many cases these requirements were specified in almost exact detail. As indicated in the body of our appeal the reasons for similarities are valid and in no way are indicative of service provider involvement in the competitive bidding process. Many school districts received information on how to file their Form 470 from the California Department of Education ('CDE'), many school districts share information with each other, and some school districts review filed Form 470's of other previously funded school districts.

There are similarities in Section 12. However, to the extent similarities do, in fact, exist among Form 470s that list Spectrum Communications as the service provider, those similarities (1) are the result of similar training conducted by the California Department of Education ('CDE') and other appropriate entities, (2) pertain to information that would not, in any way, provide an unfair advantage to any service provider, (3) do not pertain to an applicant's confidential or proprietary information which, in turn, could suggest an improper relationship between the applicant and the service provider, and (4) do pertain to information that serves to actually protect E-Rate funds from waste, fraud, and abuse. These school districts should not be penalized for providing information which is either required by their local and State laws, or is crucial to protecting E-Rate funding from waste, fraud, abuse.

Section 13:

Section 13 is optional and specifies information if a school district is intending to enter into a multi-year contract or a contract featuring an option for voluntary extensions. Due to the nature of Internal Connections deployment it is uncommon for applicants to enter into multi-year contracts. And this section is normally left blank by most every applicant.

Every Form 470 application wherein Spectrum Communications was the selected vendor had no information indicated in this section.

There are no similarities in Section 13.

APPENDIX B

The following is the language found on the filed Form 470s Block 2, sub-section 12 of several school districts. (Attachment 9)

The following paragraphs in parenthesis appear exactly as listed on the Form 470; there have been no corrections to misspellings or improper phrasing.

The following referenced Form 470s are can be found in Attachments 9.

Form 470s with Spectrum Communications indicated on the Form 471 as the selected service provider:

Corona-Norco Unified School District

“For Internal Connections: The following five (5) minimum criteria must be met: 1. Must be a CMAS authorized contractor. 2. For wiring, must provide evidence of a valid California low voltage contractors license (C7) 3. All staff working at District must be compliant with Megans Law (DOJ) background check, fingerprinting, etc. 4. Must be bondable and insurable in California 5. Evidence of payment of Prevailing Wages must be provided with all payment requests. Scope of Work for Internal Connection Projects will be sent to all respondents who meet minimum guidelines on December 16, 2002 via E-Mail or Fax Transmission”

Banning Unified School District

“For Internal connection projects the following minimum criteria apply: 1. Must possess a valid CMAS contract for specific products and services. See California Public Contract Code 10299(b), or be able to supply products and services from a piggyback public award. 2. Must possess a valid California contractor’s license specific to work performed. See California Business and Professions Code 7028.3. Contractors must pay prevailing wages and supply evidence of payment (certified payroll records upon request). See California Labor Code Section 1771 and 1776. 4. Contractors must provide proof that staff that will work at school campuses have been fingerprinted and have passed a criminal background check. See California Education Code Section 45125.1 5. Contractor must provide Payment and Performance Bond. See California Code 3247. 6. Contractor must supply a minimum of three references for projects of similar size and scope preferably within the K12 environments.”

APPENDIX B (page 2)

Form 470s that DO NOT indicate Spectrum Communications on the Form 471 as the selected service provider:

Garvey Elementary School District

“The District requires... 1. CMAS authorized contractor. 2. Must provide valid California low voltage contractors license. 4. Certified Payroll must be provided 5. Must be bondable and Insurable in the State of Calif. 6. Must do Network Design (includes drawings).”

Desert Sands Unified School District

“For internal connections the following minimum guidelines must be met: 1) CMAS authorize contractor; 2) Must provide evidence of valid California low voltage contractor’s license; 3) Must provide evidence of Megan’s Law compliance for all staff working at the district; 4) Must be bondable and insurable”

Hemet Unified School District

“1. CMAS authorized – see CA public contract code section 10299(b) 2. Must hold a valid California low voltage (C7) license ? See CA business and profession code section 7028. 3. Hold a general contractors license. 4. Be able to provide certified payroll and payment of prevailing wage/or labor compliance ? See CA labor codes sections 1771 & 1776. 5. Bondable and insurable in CA ? See CA civil code section 3247. 6. Must provide proof that all staff working on school campuses has been finger printed and passed a criminal background check by the Department of Justice ? See CA education code section 45125.1 7. Must provide three references of similar projects of size and scope, preferable K-12 education experience. 8. Provide a Molex 25 year warranty on end-to-end cabling including patch panels and jacks. 9. Must provide a valid SPIN number. 10. Must provide As-built Drawings (Paper and Electronic) in Auto-cad format. 11. Must be Molex Certificated. 12. Must adhere to District cabling specifications (will be provided upon request). 13. All proposals must include line item component pricing; associated labor cost all applicable sales tax.”

Los Angeles Unified School District

“For Internal Connections, the District will be utilizing the California Multiple Awards Schedule (CMAS). Respondents must have the appropriate CMAS contracts in place for all equipment and services relating to each of the Request for Information for which the vendor submits a response.”

APPENDIX B (page 3)

Form 470s that DO NOT indicate Spectrum Communications on the Form 471 as the selected service provider:

Bellflower Unified School District

“Internal Connections vendors must be California Multiple Awards Schedule approved vendors. Telecomm vendors should be Cal-Net approved vendors, internet access vendors should comply with either or both of the above. Vendors must have k-12 school district experience as well as E-Rate experience are preferred vendors.”

Val Verde Unified School District

“Internal connections are covered under CMAS contract”

APPENDIX C

The criteria detailed in Block 2, question 12 are required by California Law. All school districts who request proposals for Internal Connections work, as well as all service providers who respond to such a request are subject to the exact requirements as indicated.

1. Must be a CMAS authorized contractor.

California Public Contract Code section 20112 and California Education Code section 81651 states:

“For the purpose of securing bids the {school} board shall publish at least once a week for two weeks in some newspaper of general circulation published in the district, or if there is no such paper, then in some newspaper of general circulation, circulated in the county a notice calling for bids, stating the work to be done or materials or supplies to be furnished and the time when and the place where bids will be opened”

This statute requires local agencies to advertise for all bids, however, section 10299(b) allows an exemption to the advertising of bids.

California Public Contract Code section 10299(b) states:

“The director may make the services of the department available, upon the terms and conditions agreed upon, to any school district empowered to expend public funds. These school districts may, without further competitive bidding, utilize contracts, master agreements, multiple awards schedules, cooperative agreements, or other types of agreements established by the department for use by school districts for the acquisition of information technology, goods and services.”

While this statute allows California school districts to procure goods and services without advertising, school districts must still comply with FCC rules regarding competitive bidding. The only way to procure projects without having to advertise is to utilize CMAS contracts, however, the school districts must still seek competitive bids; which they do by filing a Form 470, indicating the CMAS requirements (exemption for advertising), and receiving and considering proposals from those service providers who meet the State’s CMAS requirements.

APPENDIX C (page 2)

2. Must provide evidence of valid California low voltage contractors license.

California Public Contract Code section 6100(a) states:

"Any state agency or department, as defined in Section 10357, which is subject to this code, shall, prior to awarding a contract for work to be performed by a contractor, as defined by Section 7026 of the Business and Professions Code, verify with the Contractors' State License Board that the person seeking the contract is licensed in the classification appropriate to the work to be undertaken."

California Business and Professions Code section 7028(a) states:

"It is a misdemeanor for any person to engage in the business of act in the capacity of a contractor within this state without having a license therefore, unless the person is particularly exempted from the provisions of this chapter."

3. Must be compliant with Megans Law (DOJ) background check.

California Education Code sections 45125.1 (a) and (d) state:

(a) "Except as provided in subdivisions (b) and (c), if the employees of any entity that has a contract with a school district as defined in Section 41302.5, to provide any of the following services may have any contact with pupils, those employees shall submit or have submitted their fingerprints in a manner authorized by the Department of Justice together with a fee determined by the Department of Justice to be sufficient to reimburse the department for its costs incurred in processing the application."

(d) "A school district may determine, on a case-by-case basis, to require an entity providing schoolsite services other than those listed in subdivision (a) or those described in Section 45125.2 and the entity's employees to comply with the requirements of this section, unless the district determines that the employees of the entity will have limited contact with pupils."

APPENDIX C (page 3)

4. Must be bondable and insurable in California.

California Civil Code section 3247 (a) states:

"Every original contractor to whom is awarded a contract by a public entity, except as provided in subdivision (d) of Section 7103 of the Public Contract Code, involving an expenditure in excess of twenty-five thousand dollars (\$25,000) for any public work shall, before entering upon the performance of the work, file a payment bond with and approved by the officer or public entity by whom the contract was awarded. A public entity shall state in its call for bids for any such contract that a payment bond is required in the case of such an expenditure."

5. Evidence of payment of Prevailing wages.

California Labor Code section 1771 states:

"Except for public works projects of one thousand dollars (\$1,000) or less, not less than the general prevailing rate of per diem wages for work of similar character in the locality in which the public work is performed, and not less than the general prevailing rate of per diem wages for holiday and overtime work fixed as provided in this chapter, shall be paid to all workers employed on public works."

California Labor Code section 1771.5 states in part:

(1) "All bid invitations and public works contracts shall contain appropriate language concerning the requirements of this chapter."

(3) "Project contractors and subcontractors shall maintain and furnish, at a designated time, a certified copy of each weekly payroll containing a statement of compliance signed under penalty of perjury."

(4) "The awarding body shall review, and, if appropriate, audit payroll records to verify compliance with this chapter."

Attachment 1

FCC Form

Approval by OMB
3060-0806**470**

Schools and Libraries Universal Service Description of Services Requested and Certification Form

Estimated Average Burden Hours Per Response: 4.0 hours

This form is designed to help you describe the eligible telecommunications-related services you seek so that this data can be posted on the Fund Administrator website and interested service providers can identify you as a potential customer and compete to serve you.

Please read instructions before beginning this application.

(To be completed by entity that will negotiate with providers.)

Block 1: Applicant Address and Identifications

Form 470 Application Number: 703150000435486

Applicant's Form Identifier: 2003-04 Telecommunications

Application Status: CERTIFIED

Posting Date: 11/26/2002

Allowable Contract Date: 12/24/2002

Certification Received Date: 11/26/2002

1. Name of Applicant:

CORONA-NORCO UNIF SCH DISTRICT

2. Funding Year:

07/01/2003 - 06/30/2004

3. Your Entity Number

143597

4a. Applicant's Street Address, P.O.Box, or Route Number

2820 CLARK AVE

City

NORCO

State

CA

Zip Code

91760-1903

b. Telephone number

(909) 736- 5000

c. Fax number

(909) 736- 5055

d. E-mail Address

raja@cnsud.k12.ca.us

5. Type Of Applicant

- ☒ Individual School (individual public or non-public school)
- ☐ School District (LEA; public or non-public [e.g., diocesan] local district representing multiple schools)
- ☐ Library (including library system, library branch, or library consortium applying as a library)
- ☐ Consortium (intermediate service agencies, states, state networks, special consortia)

6a. Contact Person's Name: Rosalie Aja

First, fill in **every** item of the Contact Person's information below **that is different from Item 4, above**.
Then check the box next to the preferred mode of contact. (At least one box **MUST** be checked.)

6b. Street Address, P.O.Box, or Route Number

2820 CLARK AVE

City

State

Zip Code

| | | |
|--|----------------------|------------|
| NORCO | CA | 91760-1903 |
| <input checked="" type="checkbox"/> 6c. Telephone Number | (909) 736- 5000 | |
| <input checked="" type="checkbox"/> 6d. Fax Number | (909) 736- 5055 | |
| <input checked="" type="checkbox"/> 6e. E-mail Address | raja@cnusd.k12.ca.us | |

Block 2: Summary Description of Needs or Services Requested

7 This Form 470 describes (check all that apply):

a. ☒ Tariffed services - telecommunications services, purchased at regulated prices, for which the applicant has no signed, written contract. A new Form 470 must be filed for tariffed services for each funding year.

b. ☒ Month-to-month services for which the applicant has no signed, written contract. A new Form 470 must be filed for these services for each funding year.

c. ☒ Services for which a new written contract is sought for the funding year in Item 2.

d. ☐ A multi-year contract signed on or before 7/10/97 but for which no Form 470 has been filed in a previous program year.

NOTE: Services that are covered by a signed, written contract executed pursuant to posting of a Form 470 in a previous program year OR a contract signed on/before 7/10/97 and reported on a Form 470 in a previous year as an existing contract do NOT require filing of a Form 470.

What kinds of service are you seeking: Telecommunications Services, Internet Access, or Internal Connections? Refer to the Eligible Services List at www.sl.universalservice.org for examples. Check the relevant category or categories (8, 9, and/or 10 below), and answer the questions in each category you select.

8 ☒ Telecommunications Services
Do you have a Request for Proposal (RFP) that specifies the services you are seeking ?

a ☒ **YES, I have an RFP. It is available on the Web at or via (check one):**
☒ the Contact Person in Item 6 or ☐ the contact listed in Item 11.

b ☒ **NO, I do not have an RFP for these services.**

If you answered NO, you must list below the Telecommunications Services you seek. Specify each service or function (e.g., local voice service) and quantity and/or capacity(e.g., 20 existing lines plus 10 new ones). See the Eligible Services List at www.sl.universalservice.org for examples of eligible Telecommunications Services. Remember that only eligible telecommunications providers can provide these services under the universal service support mechanism. Add additional lines if needed.

| Service or Function: | Quantity and/or Capacity: |
|----------------------------------|---------------------------|
| 800 service | 40 sites |
| 900/976 call blocking | 40 sites |
| ATM | 40 sites |
| Basic telephone Service/POTS | 40 sites |
| Cell Phone Service | 40 sites |
| Centrex/Centrex Common Equipment | 40 sites |
| Custom Calling Services | 40 sites |
| Digital Data Service | 40 sites |
| DSL | 40 sites |
| Directory Assistance Charges | 40 sites |
| Distance Learning Circuits | 40 sites |

| | |
|---|----------|
| DSL/T1/Frac T1 | 40 sites |
| Fax Machine Line | 40 sites |
| Frame Relay | 40 sites |
| Digital Transmission Services | 40 sites |
| Homework Hotline Service | 40 sites |
| Inside Wire Service | 40 sites |
| Internet2 | 40 sites |
| ISDN | 40 sites |
| LAN Interconnect Service | 40 sites |
| Local Measured Service/Message rate Service | 40 sites |
| Long Distance | 40 Sites |
| MAN | 40 sites |
| Network Access Register | 40 sites |
| On premise equipment | 40 sites |
| Paging Service | 40 sites |
| PCS | 40 sites |
| Pic Change Charge | 40 sites |
| Programmed Audio Service | 40 sites |
| Satellite Service | 40 sites |
| Serial Digital Video Service | 40 sites |
| Trunk | 40 sites |
| Toll Charges | 40 sites |
| Video Service | 40 sites |
| WAN | 40 sites |
| Construction Costs | 40 sites |
| Professional Services | 40 sites |
| Per Diem | 40 sites |
| Programming & Configuration | 40 sites |
| Taxes, Surcharges & Access Charges | 40 sites |
| Dark Fiber | 40 sites |

9 ☒ Internet Access

Do you have a Request for Proposal (RFP) that specifies the services you are seeking ?

a ☐ **YES**, I have an RFP. It is available on the Web at or via (check one):

☐ the Contact Person in Item 6 or ☐ the contact listed in Item 11.

b ☒ **NO**, I do not have an RFP for these services.

If you answered **NO**, you must list below the Internet Access Services you seek. Specify each **service or function** (e.g., monthly Internet service) and quantity and/or capacity (e.g., for 500 users). See the Eligible Services List at www.sl.universalservice.org for examples of eligible Internet Access services. Add additional lines if needed.

| Service or Function: | Quantity and/or Capacity: |
|--------------------------|---------------------------|
| Basic unbundled access | 40 sites |
| Bundled Access | 40 sites |
| Domain name registration | 40 sites |
| e-mail service & fees | 40 sites |
| GSP rates | 40 sites |
| WAN | 40 sites |
| Construction Costs | 40 sites |
| Per Diem | 40 sites |
| professional services | 40 sites |

| | |
|---|-----------------|
| Programming & Configuration | 40 sites |
| Taxes, surcharges & Access Charges | 40 sites |

10 ☒ Internal Connections**Do you have a Request for Proposal (RFP) that specifies the services you are seeking ?**

a ☒ **YES**, I have an RFP. It is available on the Web at or via (check one):
☐ the Contact Person in Item 6 or ☐ the contact listed in Item 11.

b ☒ **NO**, I do not have an RFP for these services.

If you answered **NO**, you must list below the Internal Connections Services you seek. Specify each service or function (e.g., local area network) and quantity and/or capacity(e.g., connecting 10 rooms and 300 computers at 56kbps or better). See the Eligible Services List at www.sl.universalservice.org for examples of eligible Internal Connections services. Add additional lines if needed.

| Service or Function: | Quantity and/or Capacity: |
|---|----------------------------------|
| Wireless Lan Equipment | 6 per site |
| Servers & server site, client access licenses, and related items | 1 per site |
| Cabinets & Racks & related items | 8 per site |
| Cabling (all related items; jacks, faceplates, conduit raceway, etc.) | Per technology plan |
| Network Electronics (routers, switches) | Per technology Plan |
| Video Distribution | Per technology Plan |
| Technical Support & Maintenance | 40 sites |
| Backup Equipment (UPS) | Sufficient to cover closets |
| Change Fees | 40 sites |
| Configuration & Installation Charges | 40 sites |
| Construction Costs | 40 sites |
| Extended Warranty | 40 sites |
| Per Diem | 40 sites |
| Professional Services | 40 sites |
| Shipping Charges | 40 sites |
| Taxes, Surcharges & Access Charges | 40 sites |
| Travel Time | 40 sites |
| Voice/Video over IP Equipment | Per Technology Plan |

11 (Optional) Please name the person on your staff or project who can provide additional technical details or answer specific questions from service providers about the services you are seeking. This need not be the contact person listed in Item 6 nor the signer of this form.

Name: **Carol Bento** Title: **Coordinator, Information Technology**

Telephone number
(909) 736 - 5190

Fax number
(909) 736 - 5055

E-mail Address
cbento@cnusd.k12.ca.us

12. ☒ Check here if there are any restrictions imposed by state or local laws or regulations on how or

when providers may contact you or on other bidding procedures. Please describe below any such restrictions or procedures, and/or provide Web address where they are posted and a contact name and telephone number for service providers without Internet access.

For Local Telecommunication Services: 1. Must be regulated eligible telecom. carrier in California

For Internal Connections: The following five (5) minimum criteria must be met: 1. Must be a CMAS authorized contractor 2. For wiring, must provide evidence of a valid California low voltage contractors license (C7) 3. All staff working at District must be compliant with Megans Law (DOJ) background check, fingerprinting, etc. 4. Must be bondable and Insurable in California 5. Evidence of payment of Prevailing Wages must be provided with all payment requests. Scope of Work For Internal Connection Projects will be sent to all respondents who meet minimum guidelines on December 16, 2002 via E-mail or Fax Transmission.

13. If you intend to enter into a multi-year contract based on this posting or a contract featuring an option for voluntary extensions you may provide that information below. If you have plans to purchase additional services in future years, or expect to seek new contracts for existing services, summarize below (including the likely timeframes).

District is anticipating applying for E-rate discounts for sites that have below 90% discount. Scope of work is conditional upon receiving E-rate discounts.

Block 3: Technology Assessment

14. ☐ **Basic telephone service only:** If your application is for basic local and long distance telephone service (wireline or wireless) only, check this box and skip to Item 16.

15. Although the following services and facilities are ineligible for support, they are usually necessary to make effective use of the eligible services requested in this application. Unless you indicated in Item 14 that your application is ONLY for basic telephone service, you must check at least one box in (a) through (e). You may provide details for purchases being sought.

a. Desktop software: Software required ☒ has been purchased; and/or ☒ is being sought.

b. Electrical systems: ☒ adequate electrical capacity is in place or has already been arranged; and/or ☒ upgrading for additional electrical capacity is being sought.

c. Computers: a sufficient quantity of computers ☒ has been purchased; and/or ☒ is being sought.

d. Computer hardware maintenance: adequate arrangements ☒ have been made; and/or ☒ are being sought.

e. Staff development: ☒ all staff have had an appropriate level of training /additional training has already been scheduled; and/or ☒ training is being sought.

f. Additional details: Use this space to provide additional details to help providers to identify the services you desire.

Block 4: Recipients of Service

16. **Eligible Entities That Will Receive Services:**

Check the ONE choice (a,b or c) that best describes this application and the eligible entities that will receive the services described in this application. You will then list in Item 17 the entity/entities that will pay the bills for these services.

a. ☒ Individual school or single-site library.

b. ☒ Statewide application for (enter 2-letter state code) representing (check all that apply):

☐ All public schools/districts in the state:

☐ All non-public schools in the state:

☐ All libraries in the state:

If your statewide application includes INELIGIBLE entities, check here. ☐ If checked, complete Item 18.

c. ☒ School district, library system, or consortium application to serve multiple eligible entities:

| | |
|--|--|
| Number of eligible sites | 40 |
| <i>For these eligible sites, please provide the following</i> | |
| Area Codes (list each unique area code) | Prefixes associated with each area code (first 3 digits of phone number) separate with commas, leave no spaces |
| 909 | 279, 736, 739 <input type="checkbox"/> |
| If your application includes INELIGIBLE entities, check here. <input type="checkbox"/> If checked, complete Item 18. | |

17. Billed Entities

List the entity/entities that will be paying the bills directly to the provider for the services requested in this application. These are known as Billed Entities. At least one line of this item must be completed. Attach additional sheets if necessary.

| Entity | Entity Number |
|--------------------------------|---------------|
| CORONA-NORCO UNIF SCH DISTRICT | 143597 |

18. Ineligible Participating Entities

Does your application also seek bids on services to entities that are not eligible for the Universal Service Program? If so, list those entities here (attach pages if needed):

| | | |
|--|--|--|
| | | |
|--|--|--|